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11.3.31.1.1 V41**THE PORTER COMPANY, INC.**

5510 S.W. Dover Loop  
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April 25, 2002  
VIA FACSIMILE AND MAIL

Kirk D. Jarvie  
Natural Resource Coordinator  
Western Region-Field Operations  
Division of State Lands  
State of Oregon  
775 Summer Street NE, Suite 100  
Salem, Oregon 97301-1279

Dan Gresham  
District Engineer  
US Army Corps of Engineers  
ATTN: CENWP-CO-GP  
P.O. Box 2946  
Portland, Oregon 97208-2946

Re: DSL Application No. 25250-RF (Willamette River)  
Sec. 28, Township 1N, Range 1E, Portland, Multnomah County  
US Army Corps of Engineers Application ID Number 2002-00138

Dear Mr. Jarvie and Mr. Gresham;

Riverscape LLC has submitted a request to demolish the wharf at a portion of the Terminal One South property, which was previously known as Marine Terminal One Pier. Subsequent to the submittal of our Joint US Army Corps of Engineers/Division of State Lands application on March 1, 2002, the comments we have received seem to be related to the debris that may be inadvertently dropped to the substrate below the wharf or into the river. This is discussed in the application and in more detail below. The amount of debris that may fall is minimal and should not be sufficient to require a fill and excavation permit. Another concern that has been raised is the possible impact to the bank or the river bed from the demolition activity. This has been addressed in the application and there will not be either direct or indirect impacts to the bank or river bed as a result of the demolition of the wharf. As a related matter, the City of Portland has issued a decision approving our wharf demolition application, under LUR 01-00682 GW.

In response to Mr. Jarvie's letter of April 5, 2002 to Tim Ralston, we have the following comments.

1. Upon further evaluation of the removal process for the three concrete firewalls that extend at right angles from the concrete seawall, the applicant has concluded that the firewalls will be pre-drilled and then cables attached to a 100 foot crane boom. The firewalls will then be cut vertically into sections with a cutter mounted on the end of a 80 foot track hoe boom. As the firewalls are cut, the crane will lift the cut sections onto the bank behind the seawall. It is anticipated that approximately one cubic yard of concrete debris from the cutting procedure will fall onto the river bed. All three

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firewalls are supported on wooden piles and two of the firewalls should be completely out of the water during typical summer low flow conditions. Approximately 15 to 20 feet of the longer firewall would extend out into the river during typical low flow conditions. The concrete cutting would occur approximately 30 feet from the riverward end of the seawall, so any cutting debris from this seawall would likely fall onto the river bed, and not into the water. Any small pieces of concrete that fall will be picked up and removed from the river bed by a track hoe with a boom and a grappling hook attached to the end of the boom. The track hoe will be located behind the seawall.

Since only a yard, approximately, of concrete debris and other material will drop to the river bed during the demolition process, a fill and excavation permit should not be required.

2. Regarding authorization from the Port for the demolition work, a letter from the Port of Portland dated February 22, 2002, is enclosed. The Port has determined that it does not need to sign as a co-applicant since the demolition work will be carried out when the property is owned by Riverscape, LLC, which will occur by June 30<sup>th</sup> of this year. The Port has related to Riverscape, LLC that the work cannot be done until closing on the property has occurred.

3. Eric Engstrom, Sr. Planner with the Office of Planning and Development Review, City of Portland, has completed Box 7 and has signed the application. The original application, with his signature, is enclosed.

4. Section 2.4 is amended as follows:

"3. Any concrete, asphalt, wood or other demolition debris that falls on the exposed substrate below the wharf or in the water will be picked up and removed from the exposed substrate or water by a track hoe with a boom and a grappling hook mounted at the end of the boom. The track hoe will be located behind the seawall. In addition, a sediment curtain and floating boom will be installed around the wharf from bank to bank to capture as much sediment and floatable material as possible. A boat will collect the captured sediment and floatable material for disposal on land."

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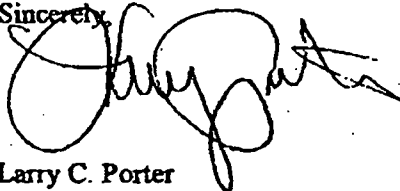
FROM

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We trust that this is the information you require to process our application. If there is anything else we can do to help expedite the review, please do not hesitate to contact Jeff Bachrach at (503) 222-4402 or Tim Ralston at (503) 221-5353. I will be out of the office during the month of May.

Sincerely,



Larry C. Porter

c: Tim Ralston/enc.  
Jeff Bachrach/enc.

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